

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**UNITED STATES OF AMERICA**

\*

**Plaintiff**

\*

**v.**

\* **CRIMINAL NO. JKB-15-0646**

**DONTE WILLIAMS**

\* **CIVIL NO. JKB-18-0953**

**Defendant**

\*

\* \* \* \* \*

**MEMORANDUM AND ORDER**

Now pending before the Court is the Defendant's MOTION UNDER 28 U.S.C. § 2255 TO VACATE, SET ASIDE, OR CORRECT SENTENCE BY A PERSON IN FEDERAL CUSTODY (ECF No. 103). The Government has responded (ECF No. 107) and the Defendant has replied (ECF No. 114).

The Court has carefully reviewed the Defendant's MOTION and his REPLY as well as the extensive record contained within the docket, and after careful consideration of the Defendant's submissions, points, and authorities, the Court concludes that the MOTION is groundless. He has failed to demonstrate that he received ineffective assistance of counsel. The record amply demonstrates that the Defendant's lawyer performed at a level well above the line drawn in *Strickland v. Washington*, 466 U.S. 668 (1984). The Defendant has failed to demonstrate any deficiency in the representation provided during the pretrial and plea negotiation phases of the case. The Defendant has failed to show that defense counsel's performance was deficient in reference to the Court's acceptance of the Presentence Report.

Finally, the record shows that without a doubt the Defendant was a career offender; accordingly, there was no deficiency by counsel with respect to advocacy around career offender issues.

For the above reasons, and for the reasons set out in the Government's OPPOSITION (ECF No. 107), which the Court adopts as its own, the MOTION (ECF No. 103) is DENIED.

A certificate of appealability may issue only if the defendant has made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(2). *See also Slack v. McDaniel*, 529 U.S. 473, 484 (2000). In order to satisfy § 2253(c), a defendant must demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong. *Miller-El v. Cockrell*, 537 U.S. 322, 336-38 (2003) (citing *Slack*, 529 U.S. at 484). Defendant has failed to meet the standard for a certificate of appealability. Therefore, it is DENIED.

DATED this 14<sup>th</sup> day of August, 2018.

BY THE COURT:

\_\_\_\_\_/s/\_\_\_\_\_  
James K. Bredar  
Chief Judge